

Mayor and Council Meeting
Tuesday, February 3, 2004, 7:00 p.m.
(Rescheduled from January 27 due to weather)

Roll Call - Harrington, Smith, Greenfield, Stull, Castle-present; Bell-absent

Mayor - Condolences to the Pat Smith family with their loss.

Citizens Forum -

Roy Bates - Director of Amateur's Radio Club. Requests to resume ham operators "Ham Fest". July 18, 2004 in Railroad Square the fest will include vendors, etc. Jim Brockhouse, chairman to fest. Requests City's contribution for cleanup.

Mayor - Requests more data concerning fest and it will be placed on another agenda.
On Thursday 2/3, Frederick County will come to City Park to demonstrate new electronic voting machines.

Temporary Dumpster Procedures - Rick Stup.
Complaints regarding dumpsters in roadway prompted procedures.

Stull - Questions if there is a renewal process.

Rick - May be extended, but not included in procedure.

Smith - Should be language in procedure.

Rick - Penalty is to impound dumpster.

Motion Stull to approve with parking permit added
2nd - Castle

Smith - Do not believe we can impound dumpster based on policy. Needs resolution.

Amend Motion to adopt as policy tonight and at the next meeting consider resolution.
Vote 5-0 to approve procedure.

Brunswick Elementary School Silent Auction Charitable Request
Greenfield - Motion to approve 4 pool passes for Silent Auction
2nd Smith
Vote 5 - 0

Bill Hurst - Representing Ms. Pasqueli who is renovating the Church on West Potomac St.
Requesting variance for ramp at location.

Rick - Mr. Hurst was informed as to the process at the last Planning Commission.

Castle - The EDC has been in contact with Ms. Pasqueli and she has been instructed as to the process.

Galyn Manor Force Main Service Area Ordinance - Rick Stup

Intent is to have residents pay for costs associated with pump station at project.

The Ordinance will establish authority to establish fee by Resolution. Does not include onsite gravity lines. Developer was contacted concerning fee. Current residents have no knowledge that a fee may be applied.

Smith - During the annexation processes we made it clear that current residents would not charge for developments.

Rick - Preliminary estimates are \$20,000 per year. Consideration has to be given as to how cost will be divided, i.e., \$20,000 divided by 282?

Smith - Have we considered replacement costs for pumps.

Rick - Not included in estimates yet. Can be amortized.

Dave - Fee can be tracked on quarterly bills.

Joe McGraw - Pulte Homes. Questions who will notify existing homeowners as to consideration of fee.

Rick - Has been advertised this week and next week's publication.

McGraw - Who is responsible for fee for lots that Pulte owns.

Rick - Fee can only be assessed for homeowners, e.g., once U&Os are issued. Next week there will be public Hearing on Ordinance that established service area.

Trick or Treat Date -

Motion Greenfield to accept October 30, Saturday for Trick or Treat night.

2nd Stull

Vote 5-0 to approve date for 2004

Motion to make Trick or Treat the last Saturday each year.

Stull - Concerned that another activity might interfere.

2nd Smith
Vote 4-1
Castle against

Service Agreement Brunswick Crossing - Discussion.

Seymour Stern, representing the City - Documents outgrowth from annexation agreement. Have been working with Dave and Rick for over a month fine tuning agreements. In original annexation agreement detailed a "CDA". It is actually a "Special Taxing District" by statute. Frederick County adopted the term a "CDA", however they are one in the same.
Overview of documents.

Mayor - Questions who will administrator this special taxing district.

Seymour - Once bonds are issued the City will collect the taxes to pay for bonds, with no exposure to City.

Mayor - Point is there is no exposure to City. CDA is simply wrong term. Suggests any questions be sent to Rick before next week.

Seymour - Paragraph 10, page 8. Developer has right to terminate agreement without APFO approval, but will reimburse City for out-of-pocket costs. Termination of 25 years included to allow documents to stay valid.

Rick - The original document did not include 25 year limitation.

Smith - When will test for APFO occur.

Rick - During Phase II Plan approval. Need to approve these documents prior to approval.

Public Works Agreement - Seymour. Change in referencing developer as coordinator not leader of group. Financing - Developer's responsibility to pay for the project until bonds are issued.

Smith - Questions status of BNR Grant and how timetable effects grant.

Rick - Grant is obligated with no time limit. 20% will be carried as guarantee throughout project.

Seymour - Expenses for any lawsuit against project or City will be paid by developer.

Adjournment 8:30 p.m.

Approved By: _____
Mayor Date

Witnessed By: _____
City Administrator Date